

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-cv-81171-Cannon/McCabe

JOHN MONROQUE,

Plaintiff,

v.

NICHOLAS LORDI et al.,

Defendants.

ORDER


THIS CAUSE comes before the Court on Plaintiff's Response to Defendant's Motion to Dismiss (DE 25). In the Response, Plaintiff seeks permission to amend his complaint to add entirely new claims, beyond those challenged by the pending Motion to Dismiss (DE 25 at 9). The Court therefore construes the Response as a Motion for Leave to Amend the Complaint pursuant to Fed. R. Civ. P. 15. The District Judge has previously referred the authority to rule on such motions to the undersigned (DE 27).

The Court does not wish to engage in piecemeal motion-to-dismiss practice, by which the Court might issue an order on the current claims, perhaps allowing another (final) opportunity to amend, only to be met with brand new claims on which the Court has never previously ruled. Accordingly, and given the early stage of this case, the Court finds good cause to **GRANT** the Motion for Leave to Amend the Complaint (DE 25). Plaintiff shall file an Amended Complaint **within fifteen (15) days** of this Order. If Defendants respond with another Motion to Dismiss, the Court will address the alleged pleading deficiencies of all claims along the same timeline.

Accordingly, it is **ORDERED** as follows:

1. The Motion for Leave to Amend the Complaint (DE 25) is **GRANTED**.
2. Plaintiff shall file an Amended Complaint within **fifteen (15) days** of this Order.
3. Defendants shall respond to the Amended Complaint within **ten (10) days of filing**.

DONE and ORDERED in Chambers at West Palm Beach in the Southern District of Florida, this 22nd day of December 2023.



RYON M. MCCABE
U.S. MAGISTRATE JUDGE